IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.87 OF 2004
IN
SECOND APPEAL NO.573 OF 2000

Vasant Ramji Gurav .. Applicant
Versus
Smt.Sitabai Parashuram Gurav and Ors. Respondents

Ms Gauri Godse for applicant
Mr.Jaydeep Deo h/f P.K.Dhakephalkar for respondents

CORAM : P.V.KAKADE, J.

DATE : 14TH OCTOBER, 2005

P.C.:

1. Heard both sides.

2. The applicant has filed this application for directions to take necessary steps against the Respondents for infringement of the order passed by Addl. District Judge, Raigad Alibag dated 20.1.1990 directing the respondents not to raise any objection for cultivation of crops or trees in the suit lands, to the plaintiff. Inspite of this direction the respondents are cutting coconuts from the trees standing in the suit lands for which purpose they had also filed complaint to

the police station of the concerned area of which copy is annexed at Exh.C to the application. In his affidavit in reply the respondents denied the allegations but has ensured that he would not obstruct the cultivation and enjoyment of the fruits by the plaintiff of the trees standing in the lands. In view of this assurance, at the bar on behalf of the respondents, I do not intent to proceed further except the warning to the respondents to abide with the order passed by the Court and not to resort to any illegality. With this direction the application stands disposed of with no order as to costs.